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*Representing the United States of America*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**United States of America,**

**Plaintiff,**

**v.**

**Richard Adams,  
Gillard McCariola, and  
Alfredo Rodriguez,**

**Defendants.**

**Case No. 2:94-cr-239-RFB-VCF**

**Motion to Dismiss Indictment**

**CERTIFICATION: This Motion is timely filed.**

The United States seeks leave of Court under Fed. R. Crim. P. 48(a) to dismiss the indictment against defendants Richard Adams, Gillard McCariola, and Alfredo Rodriguez. The United States seeks this leave because defendants were indicted in 1994 on one or more felony charges involving their participation in a staged

1 automobile accident scheme, have been in fugitive status since indictment, and due  
2 to the time lapse since indictment, the government cannot prove the charges against  
3 the defendants. Therefore, leave should be granted to dismiss the indictment  
4 against these defenants.

5 **DATED** this 11<sup>th</sup> day of February 2022.

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7 CHRISTOPHER CHIOU  
Acting United States Attorney

8  
9 /s/ Daniel R. Schiess  
Assistant United States Attorney

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**Defendants.**

**Case No. 2:94-cr-239-RFB-VCF**

**Order Dismissing Indictment**

The United States has sought leave to dismiss the indictment against defendants Richard Adam, Gillard McCariola, and Alfredo Rodriguez under Fed. R. Crim. P. 48(a). In support, the United States represents that because the charges are nearly 27 years old and the defendants have been in fugitive status since then, the government cannot prove the charges against the defendants.

1 Based on the foregoing, IT IS HEREBY ORDERED that the indictment  
2 against defendants Richard Adams, Gillard McCariola, and Alfredo Rodriguez is  
3 dismissed.

4 **DATED** this 2nd day of March, 2022.

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Honorable Richard F. Boulware, II  
United States District Judge